



ITW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Ralf Wnuk et al.

Serial No.: 10/530,726 ✓

Filed: April 8, 2005

For: SEPARATING DEVICE, PARTICULARLY:
FOR SEPARATING SOLIDS FROM
LIQUIDS

PATENT

Art Unit: 1724

Examiner:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**SUBMISSION OF ENGLISH LANGUAGE
PRELIMINARY EXAMINATION REPORT**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith is an English language Preliminary Examination Report for the
above-identified application.

Respectfully submitted,

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From the INTERNATIONAL BUREAU

PCT

NOTIFICATION OF TRANSMITTAL
OF COPIES OF TRANSLATION
OF THE INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY
(CHAPTER I OR CHAPTER II
OF THE PATENT COOPERATION TREATY)
(PCT Rule 72.2)

To:

BARTELS UND PARTNER
Lange Strasse 51
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Bartels und Partner
Patentanwälte
Eingegangen: 16. JUNI 2005
Received:

TERMIN

Date of mailing (<i>day/month/year</i>) 09 June 2005 (09.06.2005)	IMPORTANT NOTIFICATION
Applicant's or agent's file reference 40cdh/229108	
International application No. PCT/EP2003/011041	International filing date (<i>day/month/year</i>) 07 October 2003 (07.10.2003)
Applicant HYDAC PROCESS TECHNOLOGY GMBH et al	

1. Transmittal of the translation to the applicant.

The International Bureau transmits herewith a copy of the English translation made by the International Bureau of the international preliminary examination report established by the International Preliminary Examining Authority.

2. Transmittal of the copy of the translation to the elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following elected Offices requiring such translation:

KR

The following elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

EP, US

3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report.

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

The International Bureau of WIPO
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Authorized officer

Agnes Wittmann-Regis

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Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

PCT/EP2003/011041



(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 40cdh/229108	FOR FURTHER ACTION		See Form PCT/IPEA/416
International application No. PCT/EP2003/011041	International filing date (day/month/year) 07 October 2003 (07.10.2003)	Priority date (day/month/year) 18 October 2002 (18.10.2002)	
International Patent Classification (IPC) or national classification and IPC B01D 29/35			
Applicant HYDAC PROCESS TECHNOLOGY GMBH			

- This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
- This REPORT consists of a total of 5 sheets, including this cover sheet.
- This report is also accompanied by ANNEXES, comprising:
 - ☒ (sent to the applicant and to the International Bureau) a total of 11 sheets, as follows:
 - ☐ sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
 - ☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
 - ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).
- This report contains indications relating to the following items:

<input checked="" type="checkbox"/> Box No. I	Basis of the report
<input type="checkbox"/> Box No. II	Priority
<input type="checkbox"/> Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/> Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/> Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/> Box No. VI	Certain documents cited
<input type="checkbox"/> Box No. VII	Certain defects in the international application
<input type="checkbox"/> Box No. VIII	Certain observations on the international application

Date of submission of the demand 03 March 2004 (03.03.2004)	Date of completion of this report 02 February 2005 (02.02.2005)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2003/011041

Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

- ☐ This report is based on translations from the original language into the following language _____, which is language of a translation furnished for the purpose of:
- ☐ international search (under Rules 12.3 and 23.1(b))
 - ☐ publication of the international application (under Rule 12.4)
 - ☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

- ☐ The international application as originally filed/furnished
- ☒ the description:
- | | | | |
|--------|-------------------------|-------------------------------|---------------------------------|
| pages | 6, 7 | | , as originally filed/furnished |
| pages* | 1, 2, 3, 4, 5, 5a, 8, 9 | received by this Authority on | 02 September 2004 (02.09.2004) |
| pages* | | received by this Authority on | |
- ☒ the claims:
- | | | | |
|--------|-----|-------------------------------|---|
| pages | | | , as originally filed/furnished |
| pages* | | | , as amended (together with any statement) under Article 19 |
| pages* | 1-8 | received by this Authority on | 02 September 2004 (02.09.2004) |
| pages* | | received by this Authority on | |
- ☒ the drawings:
- | | | | |
|--------|---------|-------------------------------|---------------------------------|
| pages | 1/5-5/5 | | , as originally filed/furnished |
| pages* | | received by this Authority on | |
| pages* | | received by this Authority on | |
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/EP 03/11041

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-8	YES
	Claims		NO
Inventive step (IS)	Claims	1-8	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-8	YES
	Claims		NO

2. Citations and explanations

Reference is made to the following document:

EP-A-0 387 828 (DRORI MORDEK)

19 September 1990 (1990-09-19).

- 1.1 The application relates to a backflush filter system.
- 1.2 The subject matter of claim 1 differs from the closest prior art, document D3, in that the separating device, which is connected downstream of the backflush filter, consists of:
- a housing;
 - a perforated drum;
 - a steel pipe extending tangentially relative to its outlet on the inner side of the perforated wall of the perforated drum;
 - an outlet on the base of the perforated drum, with a device for removing the sediment;
- and in that said separating device is connected upstream of the bag filter.

/...

The separating device according to D3 is connected downstream of the backflush system and consists only of a bag filter.

The problem addressed by the present invention can thus be regarded as that of increasing the rate at which the impurities in the backflush flow are concentrated and achieving an overall improvement in the potential rate of separation.

The solution to this problem, as proposed in claim 1 of the present application, involves an inventive step (PCT Article 33(3)), the reasons being as follows:

Document D3 contains nothing that might suggest the solution to said problem by means of the various features, and the solution according to claim 1 cannot be considered obvious.

The subject matter of claim 1 is therefore novel and involves an inventive step (PCT Article 33(3)).

- 1.3 Since independent claim 1 is novel and non-obvious, dependent claims 2 to 8 are also novel and inventive.